

IN THE UNITED STATES DISTRICT COURT FOR THE
DISTRICT OF NEBRASKA

HOPE K. WILLIAMS as)
Independent Administrator of)
the Estate of her Father,)
OLIN B. GIBBS, JR., Deceased,)
)
 Plaintiff,) 8:13CV287
)
 v.)
)
 MARTIN FEENEY, Individually) ORDER
 and FEENEY XPRESS TRANSPORT;)
 BARY FRANKLIN, individually,)
 and RANCHERO, LLC,)
)
 Defendants.)
)

This matter is before the Court on a joint stipulation (Filing No. [102](#)) submitted by the parties wherein defendants Ranchero L.L.C. and Bary Franklin ("the Ranchero Defendants") agreed to withdraw their motion for hearing (Filing No. [95](#)). The stipulation will be approved and adopted.

The Ranchero Defendants filed a motion (Filing No. [97](#)) for an order sealing the affidavit of Randall L. Goyette filed pursuant to the Index of Evidence (Filing No. [96](#)) in support of the now withdrawn motion for hearing (Filing No. [95](#)). In addition, Ranchero Defendants requested that the Court allow them to substitute an unredacted Affidavit of Randall L. Goyette (Filing No. [96-1](#)) with an redacted Affidavit of Randall L. Goyette containing redacted exhibits (Filing No. [97-1](#)) and to

seal the unredacted Affidavit of Randall L. Goyette (Filing No. [96-1](#)). Because the motion pertaining to this index is now withdrawn (Filing No. [95](#)), the issue of substitution is moot. The unredacted Affidavit of Randall L. Goyette (Filing No. [96-1](#)) is already sealed, and the motion to seal this document will be granted.

In a third matter, the parties submitted a joint stipulation (Filing No. [101](#)) which was not fully executed by all parties. The unexecuted joint stipulation (Filing No. [101](#)) will be deemed moot.

IT IS ORDERED:

1) The Court approves and adopts the parties' joint stipulation (Filing No. [102](#)) to the extent the Ranchero Defendants' withdraw their motion (Filing No. [95](#)). The motion (Filing No. [95](#)) is deemed withdrawn.

2) Defendant's motion (Filing No. [97](#)) to seal the unredacted document (Filing No. [96-1](#)) is granted.

3) Defendant's motion (Filing No. [97](#)) to substitute and replace the Index of Evidence and Affidavit of Randall L. Goyette (Filing No. [96-1](#)) with the Affidavit of Randall L. Goyette (Filing No. 91-1) is denied as moot.

4) The parties' joint stipulation (Filing No. [101](#)) is deemed moot.

DATED this 18th day of May, 2015.

BY THE COURT:

/s/ Lyle E. Strom

LYLE E. STROM, Senior Judge
United States District Court